

1 STEVEN BENITO RUSSO  
Chief of Enforcement  
2 AMANDA H. STOLMACK  
Commission Counsel  
3 FAIR POLITICAL PRACTICES COMMISSION  
428 J Street, Suite 620  
4 Sacramento, CA 95814  
Telephone: (916) 322-5660  
5 Attorneys for Complainant  
6  
7

8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION  
9 STATE OF CALIFORNIA  
10  
11

12 In the Matter of ) FPPC No.: 01/382  
13 )  
14 FERNANDO MARIN, ) STIPULATION, DECISION and  
15 ) ORDER  
16 Respondent. )  
17

18 Complainant, Mark Krausse, Executive Director of the Fair Political Practices Commission, and  
19 Respondent, Fernando Marin, hereby agree that this Stipulation will be submitted for consideration by  
20 the Fair Political Practices Commission at its next regularly scheduled meeting.

21 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this  
22 matter, and to reach a final disposition without the necessity of holding an administrative hearing to  
23 determine the liability of Respondent.

24 Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural  
25 rights set forth in sections 83115.5 and 11503 of the Government Code, and in section 18361 of Title 2  
26 of the California Code of Regulations. This includes, but is not limited to, the right to personally appear  
27 at any administrative hearing held in this matter, to be represented by an attorney at Respondent's own  
28 expense, to confront and cross-examine all witnesses testifying at the hearing, to subpoena witnesses to

1 testify at the hearing, and to have an impartial administrative law judge preside over the hearing as a  
2 hearing officer.

3 It is further stipulated and agreed that Respondent violated the Political Reform Act by failing to  
4 timely file an assuming office statement of economic interests in violation of section 87202, subdivision  
5 (a) of the Government Code (1 count) as described in Exhibit 1, which is attached hereto and  
6 incorporated by reference, as though fully set forth herein. Exhibit 1 is a true and accurate summary of  
7 the facts in this matter.

8 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.  
9 Respondent also agrees to the Commission imposing upon him an administrative penalty in the amount  
10 of Two Hundred Dollars Dollars (\$200.00). A cashier's check from Respondent in said amount, made  
11 payable to the "General Fund of the State of California," is submitted with this Stipulation as full  
12 payment of the administrative penalty, and shall be held by the State of California until the Commission  
13 issues its Decision and Order regarding this matter. The parties agree that in the event the Commission  
14 refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days  
15 after the Commission meeting at which the Stipulation is rejected, all payments tendered by Respondent  
16 in connection with this Stipulation shall be reimbursed to Respondent. Respondent further stipulates  
17 and agrees that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before  
18 the Commission becomes necessary, neither any member of the Commission, nor the Executive  
19 Director, shall be disqualified because of prior consideration of this Stipulation.

20  
21 Dated: \_\_\_\_\_

\_\_\_\_\_  
Mark Krausse  
Executive Director  
Fair Political Practices Commission

22  
23  
24  
25 Dated: \_\_\_\_\_

\_\_\_\_\_  
Fernando Marin, Respondent

1 **DECISION AND ORDER**

2 The foregoing stipulation of the parties “In the Matter of Fernando Marin, FPPC No. 01/382,”  
3 including all attached exhibits, is hereby accepted as the final decision and order of the Fair Political  
4 Practices Commission, effective upon execution below by the Chairman.

5  
6 IT IS SO ORDERED.

7  
8 Dated: \_\_\_\_\_

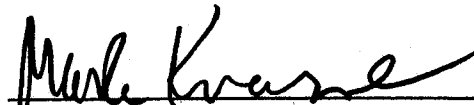
\_\_\_\_\_  
9 Karen A. Getman, Chairman  
10 Fair Political Practices Commission  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1 testify at the hearing, and to have an impartial administrative law judge preside over the hearing as a  
2 hearing officer.

3 It is further stipulated and agreed that Respondent violated the Political Reform Act by failing to  
4 timely file an assuming office statement of economic interests in violation of section 87202, subdivision  
5 (a) of the Government Code (1 count) as described in Exhibit 1, which is attached hereto and  
6 incorporated by reference, as though fully set forth herein. Exhibit 1 is a true and accurate summary of  
7 the facts in this matter.

8 Respondent agrees to the issuance of the Decision and Order, which is attached hereto.  
9 Respondent also agrees to the Commission imposing upon him an administrative penalty in the amount  
10 of Two Hundred Dollars Dollars (\$200.00). A cashier's check from Respondent in said amount, made  
11 payable to the "General Fund of the State of California," is submitted with this Stipulation as full  
12 payment of the administrative penalty, and shall be held by the State of California until the Commission  
13 issues its Decision and Order regarding this matter. The parties agree that in the event the Commission  
14 refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days  
15 after the Commission meeting at which the Stipulation is rejected, all payments tendered by Respondent  
16 in connection with this Stipulation shall be reimbursed to Respondent. Respondent further stipulates  
17 and agrees that in the event the Commission rejects the Stipulation, and a full evidentiary hearing before  
18 the Commission becomes necessary, neither any member of the Commission, nor the Executive  
19 Director, shall be disqualified because of prior consideration of this Stipulation.

20  
21 Dated: 11/13/01

  
Mark Krausse  
Executive Director  
Fair Political Practices Commission

22  
23  
24  
25 Dated: 11/5/2001

  
Fernando Marin, Respondent